

<b>DISPOSAL SITE PERMIT CLASS III: INDUSTRIAL SOLID WASTE</b>	<b><u>PERMITTEE</u> NEWMONT NEVADA ENERGY INVESTMENTS LLC</b>	<b>PERMIT # SW270REV00</b>
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## **1 FACILITY SUMMARY**

The Facility is permitted to dispose of waste generated by the TS Power Plant, specifically Coal Combustion By-Products [CCBPs] consisting of fly ash and bottom ash, and water treatment filter cake (from cooling tower water treatment). No other waste is permitted for acceptance at this facility.

### **1.1 GENERAL DESCRIPTION**

The Permit authorizes the construction and operation of a Class III disposal site, consisting of one industrial solid waste landfill unit, contiguous land, structures, and other appurtenances and improvements for the disposal of industrial waste as approved by the Nevada Division of Environmental Protection. As portions of the landfill (6 identical cells) reach final design elevations, interim cover will be installed on completed areas concurrently with ongoing operations. The landfill will perform groundwater-monitoring, closure, and post closure care in accordance with this Permit.

### **1.2 OWNER/OPERATOR**

Newmont Nevada Energy Investments LLC  
555 Fifth Street  
Elko, Nevada 89801  
775-778-2502

### **1.3 FACILITY LOCATION**

Township/Range/Section - 33N/48E/11 & 14 MDB&M, approximately three miles north of Dunphy, in Eureka County, Nevada.

### **1.4 FACILITY DESIGN**

**Table 1**

<b>Revision 00</b>	
Disposal Area:	36 Acres
Maximum Elevation:	4705 amsl
Minimum Elevation:	4645 amsl
Permitted Total Landfill Volume:	1,729,000 yd <sup>3</sup>
Permitted Waste Disposal Volume:	1,638,633 yd <sup>3</sup>
<b>Revision 01</b>	
Disposal Area:	Reserved
Maximum Elevation:	Reserved
Minimum Elevation:	Reserved
Permitted Total Landfill Volume:	Reserved
Permitted Waste Disposal Volume:	Reserved
Permitted Waste Disposal Volume:	Reserved

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## **2 GENERAL PERMIT CONDITIONS**

### **2.1 DEFINITIONS**

Unless the context otherwise requires, the words used in this Permit have the meanings ascribed to them in NAC 444.5701 to 444.631.

### **2.2 PERMIT ACTIONS (NAC 444.643)**

This Permit is based upon the information submitted in the Permit application, and as approved by the Nevada Division of Environmental Protection. This Permit may be modified by the Division for cause in accord with NAC 444.643 or if there is a change in the statutes or regulations upon which the issuance of the Permit is based, or if a modification is otherwise necessary to protect public health and safety and the environment. This Permit may be revoked or suspended if written notice is given by the solid waste management authority and the disposal site does not remain in compliance with the applicable statutes and regulations. The filing of a request by the Permittee for a Permit modification or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Permit condition. The Permittee shall inform the Division of any deviation from or change in operations as presented in the application, which may affect the Permittee's ability to comply with applicable regulations or conditions of the Permit. This Permit may be transferred to a subsequent owner or operator only if the solid waste management authority approves the transfer based on documentation of financial responsibility provided by the new owner or operator.

### **2.3 AVAILABILITY OF PERMIT DOCUMENTS**

The Permittee shall keep at the disposal site a complete copy of this Permit and incorporated documents, as identified in Section 3.0.

### **2.4 COMPLIANCE WITH STATUTES AND REGULATIONS**

The Permittee shall comply with NRS 444.440 through 444.620, and NAC 444.570 through 4344.7499, as applicable.

### **2.5 DUTY TO PROVIDE INFORMATION**

The Permittee shall furnish to the Division, within a reasonable time, any relevant information which the Division may request in order to determine compliance with this Permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit. The Permittee shall also furnish to the Division, upon request, copies of records kept as a requirement of this Permit.

### **2.6 INCIDENT REPORTING**

In accordance with NRS 444.556, the Permittee shall report incidents to the Division as provided in the *Operating Plan*. In addition, the Permittee shall report any noncompliance, imminent or existing hazard from a release of waste or hazardous constituents, or from a fire or explosion at the facility, which may endanger human health or the environment. Such information shall be reported by telephone to 800-331-6337 within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. A written report shall be submitted within 15 days of the incident and shall include the following:

1. Name and title of person making report;
2. Date, time, and type of incident;
3. Name and quantity of material(s) involved;
4. A complete description of the occurrence and its cause;
5. The extent of injuries, if any;

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6. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable;
7. Estimated quantity and disposition of recovered material that resulted from the incident; and
8. Actions taken by the Permittee in response to the incident.

## **2.7 REPORTING ANTICIPATED NON-COMPLIANCE**

The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity, which may result in noncompliance with Permit requirements.

## **2.8 INSPECTION AND ENTRY**

The Permittee shall allow the Nevada Division of Environmental Protection, or an authorized representative, upon the presentation of credentials or other documents as may be required by law to:

- i. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit; and
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit; and
- iii. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- iv. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized, any substances or parameters at any location subject to the Permit.

## **2.9 CONSTRUCTION QUALITY ASSURANCE AND QUALITY CONTROL (NAC 444.645)**

The Permittee shall:

- i. Follow and document the program for quality assurance and quality control for the construction of the facility as detailed in "Technical Specifications" of the Application.

## **3 PERMIT DOCUMENTS**

The following documents, as submitted by the Permittee and approved by the Nevada Division of Environmental Protection, also describe and/or restrict the operation of this disposal site:

- i. Revised Permit Application: March 2005 by NNEI
- ii. Response to Comments: March 14 2005 by NNEI

## **4 WASTE ACCEPTANCE CRITERIA**

### **4.1 SOLID WASTES PERMITTED FOR DISPOSAL**

- i. Industrial Waste: Fly Ash & Bottom Ash
- ii. Special Wastes: Water Treatment Filter Cake

### **4.2 PROHIBITED SOLID WASTES**

The Permittee is prohibited from placing in the landfill the following wastes:

- i. Liquid waste as defined by NAC 444.692(4);
- ii. Hazardous waste, as defined by State and Federal Regulations;
- iii. PCB waste, as defined by State and Federal Regulations; and
- iv. Waste not identified in Permit Condition 4.1

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## **5 RECORDKEEPING**

**5.1** The Permittee shall maintain records at the site as described in the application.

## **5.2 THE PERMITTEE SHALL MAINTAIN THE FOLLOWING RECORDS AT THE SITE IN ACCORDANCE WITH NAC 444.747:**

- i. Any documentation of cost estimates and financial assurance required pursuant to NAC 444.685;
- ii. Plans for closure and postclosure care and any monitoring, testing or analytical data required pursuant to NAC 444.6891 to 444.6896, inclusive;
- iii. How the site conforms to the restrictions on location set forth in NAC 444.735;
- iv. Any plan to characterize solid waste required pursuant to NAC 444.737;
- v. Any demonstration, certification, finding, monitoring, testing or analytical data from the program for monitoring ground water required pursuant to NAC 444.7481 to 444.7499, inclusive;
- vi. The owner or operator shall promptly notify the solid waste management authority after the owner or operator has placed the information in the operating record of its facility pursuant to this subsection. The information must be furnished upon request to the solid waste management authority or be made available for inspection by the solid waste management authority at any reasonable time.

## **6 REPORTING**

### **6.1 FINANCIAL ASSURANCE REPORTING: THE PERMITTEE SHALL:**

- i. Notify the Division of any adjustments made to the estimates for the amounts of closure and post-closure care in accordance with NAC 444.6851 and 444.68515; and
- ii. Each year before the anniversary date of the issuance of this Permit, the Permittee shall submit the closure and post-closure cost estimates adjusted for inflation.

### **6.2 NOTIFICATION OF NEW CELL CONSTRUCTION**

The Permittee shall notify the Division in writing within 10 days following the commencement of construction of a new cell.

### **6.3 DISPOSAL QUANTITY REPORTS**

In accordance with NAC 444.747, the Permittee shall submit annually to the division, within 30 days following the end of each calendar year, a report of the solid waste received at the site. The report must be submitted on a form provided by the Division.

**6.4** All reports, notifications, or other submissions which are required by this Permit shall be submitted by the specified due date to:

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Solid Waste Branch Supervisor  
Bureau of Waste Management  
Nevada Division of Environmental Protection  
333 W. Nye Lane, Room 138  
Carson City, NV 89706-0851

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Submittals which are not received within 10 days after the specified due date will be considered an instance of noncompliance with applicable conditions of this Permit, unless the Permittee can demonstrate (e.g., certified mail receipt, etc.) that the submittal was sent in a timely manner and that failure of deliverables to arrive on schedule was beyond control of the Permittee.

## **7 GROUNDWATER MONITORING**

**7.1** Any deviation from the ground water monitoring plan must be approved in advance by the Division as a Permit modification in accordance with NAC 444.6435.

**7.2** The monitoring wells are to remain continuously locked except during sampling, inspection, and repairs. Keys must be available at the landfill office at all times.

**7.3** Groundwater monitoring reports shall be submitted as required by Section 6.4 by February 1<sup>st</sup> and July 1<sup>st</sup> of each calendar year.

## **8 MISCELLANEOUS CONDITIONS**

Reserved

## **9 COMPLIANCE SCHEDULE**

- i. The Permittee shall notify the NDEP prior to any proposed changes in the final landfill configuration at least 180 days prior to the closure of the last cell used for disposal.
- ii. The Permittee shall submit to the NDEP the evaluation of groundwater data in accord with NAC 444.7485 at the conclusion of the first eight quarterly monitoring events.
- iii. The Permittee shall provide documentation of the Financial Assurance in accord with NAC444.68525 to NAC444.6859 60 days prior to the acceptance of waste at the facility.
- iv. The Permittee shall submit revised modeling data for the prediction of leachate using the actual waste-as-disposed data within 6 months of operation of the landfill [Comment #4 in response to comments 3/14/05]
- v. Segregate and stockpile topsoil from landfill construction or earth moving activities for use as growth medium for the final cover.

## **10 AUTHORIZATION**

<i>Signature of Approving Officer</i>	<i>Name and Title of Approving Officer</i>	<i>Date of Permit or Revised Permit Issuance</i>
<i>Original Signed</i>  _____	Doug Zimmerman, Bureau Chief, Bureau of Waste Management	_____ <i>Date</i>